

UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA
Criminal No. 22-76 (KMM/TNL)

UNITED STATES OF AMERICA,)	
)	
Plaintiff,)	
)	
v.)	WAIVER OF INTERSTATE
)	AGREEMENT ON DETAINERS
)	
SHEVIRIO CHILDS-YOUNG,)	
)	
Defendant.)	

A prisoner serving a sentence of imprisonment in a state correctional institution, who is brought into court to face a federal criminal charge, may not be returned to the state institution until he has had his trial (or has pled guilty) upon the federal charge.¹ This is the trial - (or plea) - before-return rule. Its purpose is to encourage speedy trials. It is also designed to prevent repeated interruptions of a prisoner's stay in a state institution. If the federal government returns a prisoner to the state institution before his or her trial (or plea of guilty), that person has a right to request that the federal indictment be dismissed. Thus, unless a waiver of the interstate agreement on detainers is taken, the United States Marshals will keep you in federal custody.

However, a prisoner may request to be returned to the state institution and then brought back to federal court from time to time until the completion of his or her federal court matter. Many prisoners desire to be returned because they have made living

¹ This form addresses 18 U.S. C. § App. III § 2, Article IV(e). The rule stated does not apply to a state prisoner held by a state while awaiting a state trial, nor where there is no federal "detainer" (e.g., where only a writ is used to obtain temporary federal custody). It is best to obtain the waiver as these underlying factors may be unclear.

arrangements in the state institution which they prefer to the federal jail or holding area. As indicated below, the defendant, Shevirio Childs-Young, wishes to return to the state institution from which he was brought into federal court in the above-captioned matter (*i.e.*, Minnesota State Correctional Facility – Rush City), in order to participate in available programming while he continues to serve out his current Minnesota state sentence.

I have read and understand the statement on pages one and two. I wish to be returned to the state institution at Minnesota State Correctional Facility – Rush City, and to be brought back into federal court from time to time as needed until the completion of the federal case pending against me. I waive my right to be kept in federal custody during the time of my federal case. I prefer to go back to the state institution.

Dated: June 16, 2022

Childs-Young
Shevirio Childs-Young
Defendant

Dated: June 16, 2022

Manny K. Atwal
Manny K. Atwal
First Assistant Federal Defender